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25 **UNITED STATES DISTRICT COURT**
26 **CENTRAL DISTRICT OF CALIFORNIA**

27 JEREMY R. WHITELEY,

28 Plaintiff,

v.

USAA CASUALTY INSURANCE
COMPANY,

Defendants.

CASE NO. 2:24-cv-00138-FLA-MAA

**JOINT STIPULATION
REGARDING DISPOSITIVE
MOTION BRIEFING SCHEDULE**

Complaint Filed: January 5, 2024

Plaintiff Jeremy R. Whiteley ("Plaintiff") and Defendant USAA Casualty Insurance Company ("USAA CIC") hereby agree and stipulate as follows:
WHEREAS the Court's Initial Scheduling Order (ECF No. 22) disallows the separate submission of cross-motions for summary judgment and requires the parties

to confer regarding the filing of summary judgment motions (*Id.* at 8-9);

WHEREAS the Court's Initial Scheduling Order permits the parties to stipulate to a modified briefing schedule;

WHEREAS both parties intend to move for summary judgment as to all or part of Plaintiff's breach of contract cause of action, and USAA CIC intends to move for summary judgment as to all of Plaintiff's claims;

WHEREAS the parties have conferred and agreed that Defendant should be permitted to file the opening brief for the Motion for Summary Judgment as to all claims. The parties further agree that Plaintiff should be permitted to then file his Opposition, which would be treated and considered as a cross-motion for partial summary judgment as to Defendant's duty to defend, an issue raised in Plaintiff's breach of contract claim. Thereafter each party would have the opportunity to file reply briefing within the scope of the claims or issues for which each party, respectively, seeks summary judgment or partial summary judgment;

WHEREAS the parties have conferred regarding a modified briefing schedule aligned with the requirements of the Initial Scheduling Order and agreed on a hearing date;

NOW, THEREFORE, the parties hereby STIPULATE and AGREE, through their respective counsel, to the following modified briefing schedule and hearing date:

Defendant's Motion for Summary Judgment as to all Causes of Action	January 31, 2025
Plaintiff's Opposition/Cross-Motion for Partial Summary Judgment as to Defendant's Duty to Defend	February 14, 2025
Defendant's Reply in support of its Motion for Summary Judgment as to all Causes of Action	February 21, 2025
Plaintiff's Sur-Reply in support of his Motion for Partial Summary Judgment as to Defendant's Duty to Defend	February 28, 2025

Hearing

March 14, 2025

SO STIPULATED.

DATED: January 9, 2025

McGUIRE WOODS LLP

By /s/Daria Clecicov
SHAUN H. CROSNER
DARIA CLECICOV

Attorneys for Plaintiff,
JEREMY R. WHITELEY

DATED: January 9, 2025

DKM LAW GROUP, LLP

By /s/Joshua N. Kastan
JOSHUA N. KASTAN
JESSICA J. ROSS

Attorneys for Defendant,
USAA CASUALTY INSURANCE COMPANY

**I, Joshua N. Kastan, as the filer of the instant Stipulation, hereby attest pursuant to L.R. 5-4.3.4(a)(2)(i) that all signatories listed and on whose behalf the filing is submitted concur in the filing's content and have authorized the filing.*